

AO 91 (Rev. 11/11) Criminal Complaint

United States Courts  
Southern District of Texas

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JAN 29 2020

David J. Bradley, Clerk of Court

United States of America

v.

Kelvin Eliot HERNANDEZ

Case No.

C-20-330M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 25, 2020 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section


8 USC 1325(a)(1)

## Offense Description

Kelvin Eliot HERNANDEZ did knowingly and unlawfully enter the United States from Mexico, at a point near Hidalgo, Texas which said time and place was other than as designated by immigration officials of the United States for the entrance of immigrants into the United States.

This criminal complaint is based on these facts:

On or about January 25, 2020 the defendant, Kelvin Eliot HERNANDEZ, being an alien to the United States, did knowingly and unlawfully enter the United States in Hidalgo County, Texas within the Southern District of Texas at a time and place other than as designated by immigration officers for the entrance of immigrants into the United States, in violation of Title 8, United States Code, Section 1325. I further state that I am a United States Border Patrol Agent and that this complaint is based on the following facts: On January 28, 2020, the defendant was encountered by Border Patrol agents in Duval County, Texas. Agents determined the defendant was a citizen and national of Honduras unlawfully present within the United States. Furthermore, the defendant was mirandized and provided a verbal statement and admitted to being a citizen of Honduras, who entered illegally into the United States near Hidalgo, Texas. The defendant was neither inspected nor admitted by an Immigration Officer of the United States; therefore, he is amenable to removal as per Section 212 of the I&NA. The defendant did not have documents to enter, travel through, or remain in the United States.

☐ Continued on the attached sheet.Submitted by reliable electronic means, sworn to, signature attested  
telephonically per Fed.R.Crim.P.4.1, and probable cause found onDate: January 29, 2020City and state: Corpus Christi, Texas  
Complainant's signatureMartin Castillo III, Border Patrol Agent  
Printed name and title  
Judge's signatureJulie K. Hampton, U.S. Magistrate Judge  
Printed name and title